

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X 04 CV 4971 (NG) (MDG)
FEDERAL NATIONAL MORTGAGE ASSOCIATION,

Plaintiff,

-against-

OLYMPIA MORTGAGE CORPORATION; LIEB
PINTER; SHAINDY PINTER; BARRY GOLDSTEIN;
MIRIAM GOLDSTEIN; SAMUEL PINTER; FAGIE
PINTER; ABE DONNER; ZESHA AUERBACH;
ALAN J. BRAUN; ALAN J. BRAUN & COMPANY;
MARCUS PINTER; MIDWOOD FEDERAL CREDIT
UNION; 1716 REALTY CORPORATION; KAHAL
SHOMREI HADATH; and DOE COMPANIES,

Defendants.

-----X ORDER
OLYMPIA MORTGAGE CORPORATION,

Crossclaim Plaintiff,

-against-

LEIB PINTER; SHAINDY PINTER; BARRY
GOLDSTEIN; MIRIAM GOLDSTEIN; SAMUEL
PINTER; FAGIE PINTER; ABE DONNER; ZESHA
AUERBACH; ALAN BRAUN; ALAN J. BRAUN &
COMPANY; MARCUS PINTER; KAHAL SHOMREI
HADATH; PATTY TRINDAD; BARRING SHIELDS
& COMPANY, LLC; JASMINE LAKES PROPERTIES
CORPORATION; S&F OCEAN REALTY; 6401 BINGLE
CORPORATION; SAM PINTER & ASSOCIATES; Z&S
REALTY; P&G REALTY ASSOCIATES LLC; CHARLES
PINTER; MOISHE M. PINTER; BASI NIERENBERG;
DAVID PINTER; SARAH PINTER; SAMSON PINTER;
TOVA TAUB; CHAIM TAUB; ZVI PINTER; MALKE
PINTER; MOISHE PINTER; ESTHER PINTER; YOSSIE
PINTER; HADASSAH PINTER; PEARL PINTER;
ABRAHAM PINTER; SHOSHANNA KIRSHENBAUM;
DAVID KIRSHENBAUM; RACHAEL STEIN; PERETZ
STEIN; GILLIAN SAX; NACHEMADONNER;
PERRY LERNER; SARAH DONNER; NAFTALI
DONNER; CHAIM DONNER; and DOE COMPANIES,

Crossclaim Defendants.

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GERSHON, United States District Judge:

By letter dated October 13, 2006, plaintiff seeks leave to amend its June 29, 2005 Amended Complaint. Plaintiff further requests that “repleading be deferred until at least 10 days after the Receiver completes a report detailing Olympia ‘transactions that appear not to be in the ordinary course of business.’” By letter dated October 16, 2006, defendant Shaindy Pinter opposes plaintiff’s request and, in the alternative, requests that she “not be required to answer the amended complaint until after the plaintiff serves its new pleading or, if plaintiff decides not to replead, until 20 days after that decision is communicated in writing to Shaindy Pinter’s counsel.”

Crossclaim plaintiff, Olympia Mortgage Corporation, also requests permission to amend its pleading. By letter dated October 19, 2006, crossclaim plaintiff seeks leave to amend the crossclaims asserted in its October 18, 2005 Amended Answer (the “Amended Crossclaims”). Like plaintiff, crossclaim plaintiff requests that repleading be deferred until after the Receiver completes her report.

Initially, neither plaintiff nor crossclaim plaintiff were granted leave to amend their pleadings because neither party sought permission for it. Pursuant to their current requests, however, plaintiff and crossclaim plaintiff are granted leave to amend the Amended Complaint and the Amended Crossclaims, respectively, and shall do so no later than 10 days after their receipt of the Receiver’s report. Defendant Shaindy Pinter shall answer any Second Amended Complaint or Second Amended Crossclaims, once filed, within the time frame prescribed by the federal rules. Should plaintiff or crossclaim plaintiff decide not to replead, defendant Shaindy Painter shall answer the Amended Complaint or the Amended Crossclaims no later than 20 days after that decision is communicated to her counsel in writing.

SO ORDERED.

/S/

NINA GERSHON
United States District Judge

Dated: Brooklyn, New York
October 25, 2006